

REMARKS

Claims 1 and 2 are all the claims pending in the application. Claims 1 and 2 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Donne (U.S. Patent No. 6,486,410) in view of pages 148-152 of Systems Engineering Tools by Harold Chestnut (“Chestnut”).

With respect to independent claims 1 and 2, Applicant submits that the applied references, either alone or in combination, do not teach or suggest all of the limitations of claims 1 and 2. That is, the references fail to show and the Examiner fails to describe the components of the applied references which allegedly correspond to the claimed elements. For example, the Examiner fails to show that the applied references teach or suggest at least the specific limitation “an experimental data analysis means for working out experimental data at each point of time during an experiment based upon analysis of said experimental data obtained by said experimental data obtaining means,” as recited in amended claims 1 and 2.¹ Further, the Examiner does not even mention the other limitations recited in claims 1 and 2.

Yet further, the Examiner admits that Donne does not utilize a computer for “performing the measurements and evaluations as recited in claims 1 and 2,” however the Examiner believes that Chestnut makes up for the deficiencies of Donne. In response, Applicant submits that the Examiner has apparently used impermissible hindsight reasoning in concluding that Chestnut makes up for the deficiencies of Donne, as Chestnut does not even mention applying the

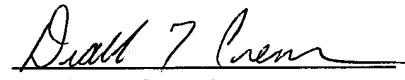
¹ Claims 1 and 2 are amended, as indicated herein, for clarification purposes only.

technology discussed therein to an electroplating experiment. Therefore, at least based on the foregoing, Applicant submits that claims 1 and 2 are patentable over the applied references, and respectfully requests that the Examiner withdraw the § 103 rejections of claims 1 and 2.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,


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